

## **REMARKS**

**[0003]** Without conceding the propriety of the finality of the office action, Applicant submits an RCE herewith.

**[0004]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 3-25, 27-49, and 51-65 are presently pending. Claims amended herein are 1, 25, and 49. Claims withdrawn or cancelled herein are 2, 26, and 50. New claims added herein are none.

### **Statement of Substance of Interview**

**[0005]** The Examiner graciously talked with me—the undersigned representative for the Applicant—on Feb 21, 2008. Applicant greatly appreciates the Examiner’s willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0006]** During the interview, I discussed how the claims differed from the cited art, namely “Apple.” Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

**[0007]** The Examiner stated that the proposed amendments would overcome the cited art, and requested that they be submitted with an RCE to get them entered. The Examiner also stated that the Claims would be allowable pending an additional search.

**[0008]** Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

**Formal Request for an Interview**

**[0009]** If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

**[0010]** Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

**Claim Amendments**

**[0011]** Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 25, and 49, herein.

## **Substantive Matters**

### **Anticipation Rejections**

[0012] The Examiner rejects claims 1, 25, 48, and 49 under 35 U.S.C. § 102(b) as being anticipated by "Apple," (Action, p 2).

[0013] Applicant amends each of the independent claims (1, 25, and 49) herein to read as follows:

"; and wherein the user interface start page further comprises a start control that is user-selectable to initiate that multiple application programs start together at approximately a same time after the transition to the desktop and after a single user input".

During the interview the Examiner agreed that this amendment differentiated the claims from the cited art.

[0014] Given the above amendment and the agreements with the Examiner during the interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

## **Obviousness Rejections**

### **Based upon Apple in View of Andy Rathbone**

**[0015]** The Examiner rejects claims 2, 4, 9, 10, 14-21, 26, 28, 33, 34, 38-45, 50, 52, 57, 58, and 60-63 under 35 U.S.C. § 103(a) as being unpatentable over "Apple" in view of "Andy Rathbone," (Action, p 3-4).

**[0016]** Given the amendments herein and the agreements with the Examiner during the interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

### **Based upon Apple in View of Rathbone**

**[0017]** The Examiner rejects claims 3, 5, 6, 7, 8, 23, 24, 27, 29, 30, 31, 32, 47, 51, 53, 54, 55, 56, and 65 under 35 U.S.C. § 103(a) as being unpatentable over "Apple" in view of "Rathbone," (Action, p 9).

**[0018]** Given the amendments herein and the agreements with the Examiner during the interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

**Based upon Apple in View of Ricart**

[0019] The Examiner rejects claims 11, 12, 13, 35, 36, 37, and 59 under 35 U.S.C. § 103(a) as being unpatentable over "Apple" in view of "Ricart," (Action, p 14).

[0020] Given the amendments herein and the agreements with the Examiner during the interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

**Based upon Apple in View of Grebler**

[0021] The Examiner rejects claims 22, 46, and 64 under 35 U.S.C. § 103(a) as being unpatentable over "Apple" in view of "Grebler," (Action, p 17).

[0022] Given the amendments herein and the agreements with the Examiner during the interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw the rejections of these claims.

## **Conclusion**

[0023] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call/email me or my assistant at your convenience.

Respectfully Submitted,

Dated: 2/25/08

By:   
Randall T. Palmer  
Reg. No. 61440  
(509) 324-9256 x261  
randy@leehayes.com  
[www.leehayes.com](http://www.leehayes.com)

My Assistant: Megan Arnold  
(509) 324-9256 x270  
[megan@leehayes.com](mailto:megan@leehayes.com)